

HOUSE BILL 3764

By Hill

AN ACT to amend Tennessee Code Annotated, Title 33
and Title 39, relative to a duty to warn in instances
of threats of suicide.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1.

(a) In addition to any duty imposed by §§ 33-3-206 - 33-3-209, or any other duty imposed by law, any person who has knowledge of direct evidence of a threat by another individual to commit suicide has a duty to inform of such threat at least one (1) of the following entities of the threat:

(1) Law enforcement authorities;

(2) The adult protective services staff of the department of human services or the children's protective services staff of the department of children's services, as appropriate;

(3) The individual's licensed mental health provider under title 33, or licensed health care provider under title 63; or

(4) The individual's parent, guardian or an adult family member, if available, in cases where the individual is a minor.

(b) For the purposes of this section, "threat" means a specific communication of an intent of an individual to commit suicide, whether written, oral or electronic, which a reasonable person might consider to be credible.

(c) The duty imposed by subsection (a) is subject to any requirement of confidentiality imposed by law.

(d) A person who reports a threat under subsection (a) in good faith shall not be subject to monetary liability, a cause of action or disciplinary action by a professional board for making disclosures necessary to reporting the threat so long as subsection (c) is not violated.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.